

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Caption in Compliance with D.N.J. LBR 9004-1(b)

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In re:

BED BATH & BEYOND, INC., *et al.*,¹

Debtors.

Chapter 11

Case No. 23-13359 (VFP)

(Jointly Administered)

**STIPULATION AND CONSENT ORDER CONFIRMING TERMINATION OF
NON-RESIDENTIAL REAL PROPERTY LEASE FOR STORE NO. 1107**

The relief set forth on the following pages, numbered two (2) through three (3), is hereby
ORDERED.

¹ The last four digits of Debtor Bed Bath & Beyond Inc.'s tax identification number are 0488. A complete list of the Debtors in these chapter 11 cases and each such Debtor's tax identification number may be obtained on the website of the Debtors' claims and noticing agent at <https://restructuring.ra.kroll.com/bbby>.

DEBTORS: BED BATH & BEYOND INC., *et al.*
CASE NO. 23-13359 (VFP)
CAPTION OF ORDER: STIPULATION AND CONSENT ORDER CONFIRMING
TERMINATION OF NON-RESIDENTIAL REAL PROPERTY
LEASE FOR STORE NO. 1107

This stipulation and consent order (the “Stipulation”) is made by and between Realty Income Corporation (the “Landlord”) and Michael Goldberg, as Plan Administrator (the “Plan Administrator”) for the Debtors (together, the “Parties”), including, as applicable, by and through their duly authorized undersigned counsel.

WHEREAS, on April 23, 2023 (the “Petition Date”), each of the Debtors filed a voluntary petition for relief under Chapter 11 of Title 11 of the United States Code (the “Bankruptcy Code”) in the Court;

WHEREAS, the Debtors’ chapter 11 cases have been procedurally consolidated;

WHEREAS, as of the Petition Date, Landlord and one of the Debtors were parties to an unexpired lease of non-residential real property pertaining to the premises located at 1050 McKinley Place Drive, San Marcos, TX 78666 (the “Lease”) which was subsequently terminated effective February 12, 2024, pursuant to the terms and conditions of that certain Lease Termination Agreement, dated January 22, 2024 (the “Termination Agreement”).

WHEREAS, the Parties have agreed upon the terms set forth in this Stipulation, for which the Parties seek approval hereby;

NOW THEREFORE, IT IS HEREBY STIPULATED, AGREED AND ORDERED AS FOLLOWS:

1. The recitals set forth above are hereby made an integral part of the Parties’ Stipulation and are incorporated herein.
2. The Lease was terminated in its entirety as of February 12, 2024.
3. The Parties are bound by the Termination Agreement and continue to reserve all rights and remedies thereunder.

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Dated: August 12, 2024

/s/ Colin R. Robinson

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